

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

**J.P., a minor who sues by and through)
her Mother and Next Friend, LATOYA)
PICKERING,)**

Plaintiff,

Case No. 2:23-cv-000319-MHT-KFP

V.

**ELMORE COUNTY BOARD OF
EDUCATION; LOUKISHA BROOKS;
and SHEMEKIA COOPER.**

Defendants.

PETITION FOR APPROVAL OF
PRO AMI SETTLEMENT AND STIPULATIONS

COME NOW the parties in the above styled cause and move this Honorable Court to approve the proposed settlement in favor of the minor plaintiff J.P. in the amount of Twenty Thousand Dollars (\$20,000.00). As grounds therefore, it is asserted that the settlement is fair, just, conservative, reasonable and in the best interest of J.P.

The parties further enter into the following stipulations:

1. J.P. is a minor, born in January 2009. It is agreed and stipulated that Latoya Pickering, an individual, is the mother of J.P., and that she is the proper person to bring this claim on behalf of J.P. pursuant to *Ala. Code* § 6-5-390 (1975).

2. The minor plaintiff's mother and next friend, Latoya Pickering filed suit in Middle District of Alabama against Defendants Elmore County Board of Education, Loukisha Brooks and Shemekia Cooper, alleging that the minor plaintiff sustained emotional damage as a result of an

incident occurring at Wetumpka Middle School on or about May 13, 2022. More specifically, during the 2021-2022 school year, minor plaintiff J.P. was sitting next to another student, minor John Doe in class. As alleged, while not being supervised, minor John Does insisted minor J.P. to perform oral sex on him. Plaintiff, Latoya Pickering further alleges that Defendants failed to properly supervise the students and take any preventative measures toward foreseeable sexual misconduct of students J.P. and John Doe.

3. Suit was filed on August 29, 2023, by Latoya Pickering as mother and next friend of J.P. Plaintiff J.P. alleged violation of Title IX of the Education Amendments of 1972 against the Elmore County Board of Education and asserted claims of Negligence, and Wantonness against Defendants Cooper and Brooks.

4. Whereas the proposed settlement between the parties will dispose of J.P.'s claims as a minor, as to all Defendants, counsel for the parties respectfully request that this Court review the terms of the settlement and approve the settlement as being in the interest of the minor, J.P.

5. The terms of the settlement as to J.P. are as follows:

- a. Total settlement of \$20,000.00, inclusive of all fees, costs, and expenses.
- b. Elmore County Board of Education agrees to offer J.P. a hardship transfer to Elmore County High School and arrange counseling sessions for J.P. through its school-based therapy provider for the 2024-2025 school year.

6. Latoya Pickering, as mother and next friend of J.P., believes the terms of the settlement are appropriate and fair in the best interests of the child. J.P.

7. The Defendants deny all liability and maintain their innocence.

8. The issue of liability, if not herein resolved, as well as what damages, if any, the minor would be entitled to, would, under the law, remains with the discretion of the Court.

9. It is agreed and stipulated that J.P. claims emotional damages resulting from this incident.

10. It is agreed and stipulated the correct name of the Defendants are Elmore County Board of Education, Loukisha Brooks and Shemekia Cooper.

11. It is agreed and stipulated that the suit against the Defendants is to be compromised as follows:

A. That parties have reached a settlement in total amount of \$20,000 for claims of the plaintiffs, Latoya Pickering and the minor J.P.

B. That this amount is for full settlement of any and all claims as to the Defendants Elmore County Board of Education, Loukisha Brooks and Shemekia Cooper.

C. That Plaintiff Pickering will be responsible, from the proceeds, for satisfying any outstanding liens, subrogation interests, and/or medical bills.

D. That any attorney's fees, costs and expenses for Plaintiffs' counsel be paid by Plaintiff Pickering from the proceeds.

E. That upon payment of said settlement funds to Plaintiff Latoya Pickering, the judgment shall be satisfied, and the Defendants released and discharged from any and all liability or obligation to the Plaintiffs for the claims brought in this suit or which could have been brought.

F. That said Latoya Pickering in her capacity as next friend of the minor, will enter into a dismissal with prejudice as to this action pursuant to the release and settlement agreement entered into by and between the parties.

7. It is agreed and stipulated that settlement of this suit is fair, just, conservative, reasonable and in the best interest of J.P.

8. It is stipulated between the parties that from the \$20,000.00 settlement funds, cited

herein, Plaintiff Pickering shall satisfy and extinguish any and all subrogation claims or reclaims of Medicaid and any doctor or hospital claims regarding medical treatment for the plaintiffs.

WHEREFORE, these premises being considered, the parties move this Court to approve the settlement agreement and to enter an order implementing same. THE UNDERSIGNED CERTIFIES THAT SHE HAS FILED THIS JOINT PETITION WITH PERMISSION OF COUNSEL FOR THE PLANTIFFS AND INDIVIDUAL DEFENDANTS.

DONE this 10th day of July, 2024.

/s/Dana B. Hill
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